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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,982	10/19/2001	Yoshihiro Matsuyama	1573.1009	7504
21171 7590 02/06/2008 STAAS & HALSEY LLP		EXAMINER		
SUITE 700	ř		TORRES, MARCOS L	
1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			ART UNIT	PAPER NUMBER
			2617	
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			MAIL DATE	DELIVERY MODE
			02/06/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

·	Application No.	Applicant(s)
	09/981,982	MATSUYAMA ET AL.
Office Action Summary	Examiner	Art Unit
	Marcos L. Torres	2617
The MAILING DATE of this communication a		th the correspondence address
Period for Reply		
A SHORTENED STATUTORY PERIOD FOR REP WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory perio - Failure to reply within the set or extended period for reply will, by statu. Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNIC 1.136(a). In no event, however, may a re- ted will apply and will expire SIX (6) MON ute, cause the application to become AB	CATION. eply be timely filed ITHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).
Status		
1) Responsive to communication(s) filed on 18	<u>April 2007</u> .	
2a) This action is FINAL . 2b) ⊠ Th	nis action is non-final.	
3) Since this application is in condition for allow	•	• •
closed in accordance with the practice under	Ex parte Quayle, 1935 C.D	. 11, 453 O.G. 213.
Disposition of Claims		
4)⊠ Claim(s) <u>3-5,9-11,16,17,20,21,25 and 26</u> is/a	are pending in the application	n.
4a) Of the above claim(s) is/are withdr	awn from consideration.	
5) Claim(s) is/are allowed.		
6) Claim(s) <u>3-5,9-11,16,17,20,21,25 and 26</u> is/a	are rejected.	
7) Claim(s) is/are objected to.		
8) Claim(s) are subject to restriction and	or election requirement.	
Application Papers		
9)☐ The specification is objected to by the Examir	ner.	
10) The drawing(s) filed on is/are: a) ac	ccepted or b) objected to I	by the Examiner.
Applicant may not request that any objection to th	e drawing(s) be held in abeyan	ice. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the corre		
11) The oath or declaration is objected to by the E	Examiner. Note the attached	Office Action or form PTO-152.
Priority under 35 U.S.C. § 119		•
12) Acknowledgment is made of a claim for foreig a) All b) Some * c) None of:		119(a)-(d) or (f).
1. Certified copies of the priority documer		r e N
2. Certified copies of the priority documer		•
 Copies of the certified copies of the pri application from the International Bure 	•	received in this National Stage
* See the attached detailed Office action for a lis		received.
	·	
Attachment(s)		
) Notice of References Cited (PTO-892)) Notice of Draftsperson's Patent Drawing Review (PTO-948)		Summary (PTO-413) S)/Mail Date
) Information Disclosure Statement(s) (PTO/SB/08)		nformal Patent Application

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10-31-07 has been entered.

Response to Arguments

- 2. Applicant's arguments filed 10-31-07 have been fully considered but they are not persuasive.
- 3. Regarding applicant argument directed to the new limitation of: "a separate device which is different from said receiving device and receives and views a content for narrowband transfer, over said mobile communication network not via said receiving device"; the combination of Sivula and Adachi still teach the above limitation, please note that the user of the mobile the mobile device can receive and choose content from the special application service center to compose the message before is broadcasted (see col. 8, lines 28-62).
- 4. As to applicant argument that Adachi fails to disclose a content data providing information processing apparatus, please see fig. 1, item 7. Regarding applicant argument that in Adachi the server will response providing a particular service based upon the user response; it is noted that also the present application the server will

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response providing a particular service based upon the user response of the separate device. Once the user choose the service is going to be received automatically (see col. 3, lines 5-11).

5. Please see new grounds of rejection for claims 25-26.

Claim Objections

6. Claims 3, 9, 16, 20 are 25-26 are objected to because of the following informalities: the above claims disclose the limitation "a separate device ... receives and views a content", it is noted that normally the device display a content rather than view a content, and normally the step of viewing is done by the user rather than the device. Appropriate correction is required.

Claim Rejections - 35 USC § 103

- 7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 8. The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 - 1. Determining the scope and contents of the prior art.
 - 2. Ascertaining the differences between the prior art and the claims at issue.
 - 3. Resolving the level of ordinary skill in the pertinent art.
 - 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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- 9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
- 10. Claims 3-5, 9-11, 16-17, 20-22 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sivula (US 6,795,711) in view of Adachi US006829474B1.

As to claims 3 and 9, Sivula discloses an information processing apparatus for use in a system comprising a mobile communication network and a broadband communication network connected via gateway to said mobile communication network (see fig. 2, item 14, 26, 32, 30; fig. 3, item 36), said information processing apparatus comprising: a processor receiving a content transmission request including a content identification of a content for narrowband or broadband transfer, determined by a user and an address of a receiving device (see fig. 1, item 16) determined by said user which is to receive data of said content (see col. 7, lines 20-25,62-67), from a separate device (see fig. 1, item 10) which is different from said receiving device and received and views a content for narrowband transfer (see col. 8, lines 28-62) over a mobile communication network, in response to the receipt of said content identification and said received address of said receiving device from said separate device, said processor transmitting,

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said received content identification and said received address of said receiving device to a content data providing information processing apparatus which provides said content data and which is different from said processor, wherein the content data is provided automatically (on narrowband transfer only) by said content data providing information processing apparatus, in response to the receipt, from said processor of said transmitted content identification and said transmitted address of said receiving device, to said receiving over said broadband network (see col. 5, line 66 – col. 6, line 5; col. 7, lines 47-52; col. 8, lines 28-44; fig. 3, item 36, 46, 54, 62). Sivula does not specifically disclose that the connection between the processor and the content data providing information processing apparatus which is different from said first apparatus and is a broadband (high-speed) connection through the gateway. In an analogous art, Adachi discloses a content data information processing apparatus connected to the processor using a broadband (Internet) connection through the gateway and sending the data automatically (see fig. 1, items 1, 6, 7; col. 4, lines 53-56; col. 3, lines 5-11), thereby permitting to connect various content server connected to the internet. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to use a broadband connection or any connection with enough broadband between the processor and the content data providing information processing apparatus to maintain a good transfer of data.

As to claims 4 and 10, Sivula discloses the information processing apparatus wherein said processor transmits a Web page containing said content identification to said separate device over said mobile communication network (see col. 7, item 49-53).

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As to claims 5 and 11, Sivula discloses the information processing apparatus according to claim 3 wherein said processor transmits further a user identification of the user to said content data providing information processing apparatus (see col. 7, lines 23-25).

Regarding claims 16-17 and 20-22, are corresponding stored program claim of the apparatus claims 3-4 and 9-10. Therefore they are rejected for the same reason shown above.

As to claim 25, Sivula discloses a method of directing content to a receiving device, comprising: receiving on a information server via mobile communications network a request from a mobile device which receives and view a content for narrowband transfer comprising a uniform resource locator of the content for narrowband or broadband transfer and an address of a receiving device separate from the mobile device; and transmitting from the information server via a gateway to a content server on a network the request comprising the uniform resource locator of the content and the address of the receiving device separate from the mobile device, the content server transmitting to the receiving device separate from the mobile device the contents addressed by the uniform resource locator (see col. 5, line 66 – col. 6, line 5; col. 7, lines 47-52; col. 8, lines 28-62; fig. 3, item 36, 46, 54, 62). Sivula does not specifically disclose that the connection between the information server and the gateway is a broadband (high-speed) connection. In an analogous art, Adachi discloses that the connection between the information server and the gateway is a broadband (high-speed) connection and sending the data automatically (see fig. 1, items 1, 6, 7;

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col. 4, lines 53-56; col. 3, lines 5-11), thereby permitting to connect various content server connected to the internet. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to use a broadband connection or any connection with enough broadband between the processor and the content data providing information processing apparatus to maintain a good transfer of data.

As to claim 26, Sivula discloses a method, comprising: receiving content data at a network server via a mobile communications network from a device which receives and views a content for narrowband transfer, the content data including content identification of a content for broadband transfer, determined by a user, and an address of a receiving device, determined by said user; transmitting said content data including the content identification and the address of the receiving device to a content server not via said receiving device; and transmitting the content to the receiving device automatically by the content server (see col. 5, line 66 – col. 6, line 5; col. 7, lines 47-52; col. 8, lines 28-62; fig. 3, item 36, 46, 54, 62). Sivula does not specifically disclose that the connection between the information server and the gateway is a broadband (highspeed) connection. In an analogous art, Adachi discloses that the connection between the information server and the gateway is a broadband (high-speed) connection and sending the data automatically (see fig. 1, items 1, 6, 7; col. 4, lines 53-56; col. 3, lines 5-11), thereby permitting to connect various content server connected to the internet. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to use a broadband connection or any connection with enough broadband

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between the processor and the content data providing information processing apparatus to maintain a good transfer of data.

Conclusion

Any response to this Office Action should be mailed to:

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Or faxed to:

571-273-8300

for formal communication intended for entry, informal communication or draft communication; in the case of informal or draft communication, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L. Torres whose telephone number is 571-272-7926. The examiner can normally be reached on 8:00am-6:00 PM alt. Wednesday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-252-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Marcos L Torres Examiner Art Unit 2617

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